



## **ARGUMENT**

“[T]rial courts have always been afforded the power to seal their records when interests of privacy outweigh the public’s right to know.” *In re Knoxville News-Sentinel Co.*, 723 F.2d 470, 474 (6th Cir. 1983). While the right of public access to judicial records is presumed, it is “not absolute.” *United States v. Beckham*, 789 F.2d 401, 410 (6th Cir. 1986). One exception to the “presumption in favor of openness . . . center[s] on the content of the information to be disclosed to the public.” *Rudd Equip. Co. v. John Deere Constr. & Forestry Co.*, 834 F.3d 589, 593 (6th Cir. 2016). “In determining the appropriateness of sealing court records under this exception, [courts] consider, among other things, . . . the privacy rights of participants or third parties[.]” *Id.* When this exception applies, “the seal itself must be narrowly tailored to serve that reason.” *Id.* at 594. (citation and quotation marks omitted).

Plaintiffs’ Memorandum and supporting documents contain confidential information. This Motion for Leave to File Under Seal seeks to protect from disclosure materials that Defendants designated as worthy of protection. Because of that designation, this information should be provisionally sealed, for now.

## **CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully request that the Court grant them leave to file under seal their Memorandum in Support of their Motion to Compel and supporting exhibits for the purpose of maintaining confidentiality.

Dated: May 5, 2025

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, Katherine B. Riley, hereby certify that on May 5, 2025, I served the above and foregoing on all counsel of record via the Court's CM/ECF filing system.

/s/ Katherine B. Riley  
Katherine B. Riley